

Pro Se 1 (Rev. 09/16) Complaint for a Civil Case

UNITED STATES DISTRICT COURT

for the

District of Massachusetts

Nanette Stone

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Amazon Corporation
Whole Foods

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No. _____

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☒ Yes ☐ No

FILED
IN CLERKS OFFICE
2018 DEC 19 PM 3:02
U.S. DISTRICT COURT
DISTRICT OF MASS.

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

Nanette StonePO Box 1051450 Beaver StreetNath Wales, PA 19454267-454-1618stones3(a)my.erau.edu

[Mailing Only]

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Pro Se 1 (Rev. 09/16) Complaint for a Civil Case

Defendant No. 1

Name

Job or Title (if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (if known)

Amazon Corporation, Amazon Prime
WHOLEFOODS

550 BOWIE STREET

AUSTIN, TEXAS 78703-4644

UNKNOWN

UNKNOWN

Defendant No. 2

Name

Job or Title (if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (if known)

Defendant No. 3

Name

Job or Title (if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (if known)

Defendant No. 4

Name

Job or Title (if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (if known)

Pro Se I (Rev. 09/16) Complaint for a Civil Case

Defendant No. 1

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

Defendant No. 2

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

Defendant No. 3

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

Defendant No. 4

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

- ① VIOLATIONS Discrimination based on Disabilities
- ② VIOLENCE AGAINST WOMEN ACT.
- ③ VIOLATION - UNLAWFUL SEARCH, AND SEIZURE
- ④ VIOLATION RIGHTS TO FREE SPEECH
- ⑤ VIOLATION Against Right to LIFE, LIBERTY, PURSUIT OF HAPPINESS
- ⑥ Harassment Violations

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, (name) Nanette Stone

is a citizen of the State of (name) MASSACHUSETTS.

b. If the plaintiff is a corporation

The plaintiff, (name) Not Applicable -

is incorporated under the laws of the State of (name) _____ and has its principal place of business in the State of (name) _____

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, (name) _____

is a citizen of the State of (name) _____ Or is a citizen of

(foreign nation) _____

b. If the defendant is a corporation

The defendant, (name) AMAZON CORPORATION
WHOLE FOODS MARKETS, is incorporated under
 the laws of the State of (name) MASSACHUSETTS, PENNSYLVANIA, HAWAII, NEW YORK, and has its
 principal place of business in the State of (name) TEXAS, AND MULTIPLE STATES
 Or is incorporated under the laws of (foreign nation) N/A
 and has its principal place of business in (name) MULTIPLE STATES ✓

Multiple States →

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.) N/A

3. The Amount in Controversy

The amount in controversy-the amount the plaintiff claims the defendant owes or the amount at stake-is more than \$75,000, not counting interest and costs of court, because (explain):

*Demand - \$25 million dollars -
 Plaintiff requests the \$25 million dollars award because
 these patterned actions occurred across multiple
 states in the same way. The employees continue
 to harass & discriminate.*

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

*Please see attached written claim asserting
 ongoing harassment by persons employed
 by defendant, and patrons of the defendant.*

*(9 pages
 Attached)
 Complaint*

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

*I am seeking \$25 million in damages because of
 the repetitive intrusion, violation to my privacy,
 harassment, and fear of harm. I will need to
 take extreme security measures for myself
 and my family this will allow me to
 stand the measures.*

Further relief →

- An immediate injunction and order of protection against persons who harass me employed at Amazon Whole Foods and/or associated
- Change to policy and procedure at Whole Foods. Monitoring specific to violence, harassment and threats, to assure safety; and immediately stop abuses by patrons and employees of the store.
- An investigation by the US Justice Department to determine, and bring clarity to who is behind orchestrating harassment in places of business like Amazon & Whole Foods.
- Review of Programs for the poor that were in place to help the poor. I suspect resources and efforts to help the poor were stolen and used by people who did not need it. I was denied assistance when I needed it. A homeless initiative in Philadelphia gave food vouchers as gift cards. I could not get assistance from this group.

I and my 21yr old daughter arrived in Boston Massachusetts again about 2wks ago. We came in 2017. We frequent Whole Foods market regularly. During our visits, I've experience the following. (1)

1. Staff following me at the store

Cleaning staff approaching me and my daughter shortly after our arrival. They linger and approach while we are using the microwave, and while eating a meal.

2. Patrons do the same. Patrons are seen using cellphone cameras raised to my direction and likely filming. As well as filming me with out permission.

3. At Boston Charles River Whole Foods Security appear to gather and convene near the buffet monitoring my small gathering of food. This has occurred in 2017 and in 2018 just recently since our returning to Boston in 2018 December 2018.

NOTE: I am always respectful, clean, and only take what I can afford. I pay the bill, and take all trash upon leaving. So there is No direct Need for Security to have alarm, and consistently harass, and monitor my actions at the store.

4. Male staffers at Whole Foods Philadelphia, Hawaii repeatedly entered the women's rest room without announcing their entry. One male staffer at Philadelphia refused to leave the restroom - he continued to remain →

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In the restroom November 2018, despite my request to use the restroom. I had to use the restroom with urgency. So I closed the stall door. He ② remained in the women's room refusing to exit.

I have informed managers at Whole Foods of my concerns, as well as the following and stalking of staff, and customers of Whole Foods.

These actions are within plain view of cameras at Whole Foods.

It is my understanding that Amazon the current Mega Corporation that owns Whole Foods has - Surveillance Technologies.

I suspect that Amazon - Whole Foods should know that staff and patrons are harassing and following me. Technology is used for anti theft purposes. It can also be used and/or should be used to assure customer safety. In November 2018 a "permit carrying" security officer was seen filming me at Whole Foods Philadelphia PA. He held his cellphone camera in my direction and appeared to hold the camera phone in place. It is reasonable to determine that I am being filmed because

STONE V. Amazon Whole Foods

unyielding.

For Example. The Patterned behavior I have experienced Amazon Prime Employees repeatedly convene at the entrance to the Pennsylvania Avenue Store. Their Stations to prep purchased items were on the first floor. Staff Amazon Prime and Whole Foods Staff - used cellphones that appeared to be used to film me and my daughter on entry and exit to the Whole Foods. Staff would also scramble to get on elevators with us. Patrons engaged in the stalking, and harassing filming also.

I am not a celebrity. I have done nothing wrong but I and my daughter have been harassed in this way. I suspect these actions are an extension of harassing retaliation that is in mass quantity. The number of employees attacking us in this way is enormous.

The number of patrons of Whole Foods attacking us in this way is enormous. I suspect the cellphones, and other programmed technology are used which allows this mass stalking and harassment. It allows the "harassers" to communicate our location.

STONE VS. Amazon WHOLEFOODS.

The filing of this civil action is to bring exposure of this massive and controlled harassment happening at Whole Foods. (4)

Also to bring to light the discrimination ^{disability} surrounding the harassment.

I suspect that the harassment, and discrimination is based from my outspoken actions on behalf of the disabled, including myself.

At 2 Stores in Hawaii two separate Staffers made reference to me - asking was I deaf. I do have hearing loss, I am not deaf. (In 2018). I believe that patrons and Staffers are using technology to communicate and monitor my movements, track me and harass me. I suspect they are determined and feel justified in these actions.

This civil lawsuit is to show that these people I "deem" to be exhibiting gang activity, that is organized, repetitive, threatening, and in massive number, causing me on-going

STONE vs. Amazon Whole Foods

concerns, and terror, and fear for my safety,
 and well being - and the well being of my ⑤
 daughter - I have approached the court to
 show justification here that these acts do
 violate my liberty. These actions are harassing
 Public spaces allow for general filming. This, and
 these actions target me and my daughter,
 and anyone with us. The violation comes because
 they seek to inflict harm. To threaten me
 and remind me that they will, and are
 retaliating because I sought help for my abused
 daughter as a child, I sought help for the abused
 disabled persons with intellectual disability I used
 to work with, and the abused ^{disabled} elderly I had
 as parents. These actions are "direct" attempts
 to silence me. My claim in civil action upon
 Amazon and Whole Foods is there in action.
 They knew or should have known about
 these repeated acts upon me and my
 daughter.

STONE V. Amazon, Whole Foods.

I have traveled in attempt to remedy and restore my life. At Whole Foods Stores Hawaii at 3 separate locations in Honolulu I have been harassed. ① Kahala Mall Whole Foods. ② Kailua Whole Foods. ③ Kaka'ako - near Ala Moana - a new location opened in May 2018. At all three of these locations staff harassed me. At the Kahala Mall I recall reporting on a woman who would come over near a microwave there short upon our arrival. - Arrival. She would film us with her cellphone, and clean. We frequent Whole Foods because non allergic items are available for my daughter. This staffer and patrons every visit filmed and come near us to clean everytime. This data, or footage should be an record via surveillance cameras. Between September 2017 and May 2018 This is the time frame. At Kailua a male white employee who wore green, and proud lepre'can gear with a hat and Sham rocks he would come to the restroom, or near there, he'd enter without knocking to the women's restroom.

Security openly came early - at the opening of the store, and used her cell phone to film me. One morning shortly after opening we sat eating our breakfast a woman (1) stood about 15 ft. She held her camera towards us. It was only days after the new opening of this store. April or May 2018. A cashier at the same store asked me if I was deaf, she began to use her hands to point to her ears, and moved her hands to sign at me. I'm from Pennsylvania. It's beyond disheartening to still face - on-going reminders of threat, harassment, and harm, and discrimination. Especially since I traveled so far. In New York City, Pennsylvania, Boston and Cambridge, and Hawaii - it's an organized effort to discriminate, harass, terrorize, and silence. My claim is that Amazon and Whole Foods as with any organization bares responsibility to protect, patron, and

In Philadelphia, PA. Customer began to cuss
at me, and yell, and berate me around July
or August 2018. She was a harasser. I ignore
her. She began to attack me telling me how ⑧
I'm a disgrace. That I'm nothing, my mother
is nothing. Again my mother was abused
I sought help for her. She was a disabled
cancer patient, and elderly person, who was
terrorized. About 3 staffers stood by. One
did ask if I knew the woman. I did not know
her. I have never seen her before ever. She
targeted me and approached me. I am taking
this civil/active stance against Amazon and
Whole Foods because Amazon has technology
to observe these employees actions, and redress
and correct, including termination. For these
actions to be as common as the store layout
and go unnoticed and unchecked for years
shows a lack of oversight at Whole Foods, and
poor quality review. It leads to my claim
of negligence, and violating my civil
rights.

I was an employee in Philadelphia PA 2012 - 2014

I was employed as Performance + Quality Improvement Manager. (9)

As a PQI manager I also investigated noncompliance and abuses to people of intellectual disability.

In this role corrective action resulted. I have

a current civil suit I filed against NHTS.

NHTS has changed their name to Mervak, in 2017

NHTS is a contract agency with The City of

Philadelphia. I have sought civil action in

City of Philadelphia against Departments of

City of Philadelphia as well, in ²⁰¹⁷ 2018 I suspect

that because of my efforts to expose abuses at these two agencies they have retaliated against me.

I suspect that Amazon, Whole Foods

has technology - surveillance technology

that is being used to harass me. I suspect

it is being misused and is a direct violation

of my privacy. The Federal questions are

1. Violations under Persons with Disabilities Act
2. Life Liberty and Pursuit of Happiness
3. Unlawful Search & Seizure.

At Philadelphia - Pennsylvania / Hamilton NJ - Whole Foods
 The Amazon Prime Staff are stationed on the first floor. They stand by the entrance and use cellphone cameras to openly film us - me and my daughter. They use cellphones to process orders. The amount of staff doing this harassment is so large I cannot count. I feel hunted, and vulnerable. Due to Food Allergies - and the wide selections offered for alternatives - I've shopped at Whole Foods for over 21 years. Whole Foods staff have changed for the worse. Poor customer attentiveness, poor service the harassment and discrimination is constant for me and my daughter. My daughter has food allergies - and there are products we have used for years that we get from the Store. I do worry something could happen to us at Whole Foods. I have written complaints and told management at the locations visited. The actions continue. This legal action is a civil action to stand up - publicly inform Whole Foods and Amazon, of the actions of their staff and patrons bring about change and to seek relief from the court. No one should have to endure this on going Abuse and discrimination.

There were, may still be programs Whole Food began to support the poor. There seemed to be difficulty in accessing the services to get food vouchers in order to get food at Whole Foods.

At Whole Foods Philadelphia - Hamilton NJ. Lastly in 2014 - 2015. I had a successful phone interview. I was later called and told another current employee bid for the job

STONE V. Amazon / Whole Foods

C. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party?

Plaintiff(s) state(s) of citizenship Pennsylvania

Defendant(s) state(s) of citizenship Pennsylvania, New York, Boston, New Jersey, Hawaii

III. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. Where did the events giving rise to your claim(s) occur? Philadelphia, PA, NYC, Boston, New Jersey and Hawaii.

B. What date and approximate time did the events giving rise to your claim(s) occur? 2018 (July - September), Jan - March 2017 Phila PA, March 2017 - June 2017 NYC, July - September Boston/Cambridge MA, Hawaii September 2017 - May 2018

C. Facts: In the process of trying to locate a safe place to go due to ongoing threats of violence, Plaintiff have moved to various locations as shown.

While visiting Whole Foods in Philly - Pennsylvania Avenue, and South Street, at least 3 Whole Foods locations in NYC, 2 Whole Foods locations in Boston/Cambridge areas, and 3 locations in Hawaii: Kahala Mall Whole Foods, Kailua Area Whole Foods, and a new Whole Foods at Kaka'ako near Ala Moana Mall. At each location we experienced targeted, repetitive and patterned behaviors of harassment by Whole Foods staff and patrons during the times of our visits. Staff repeatedly took our photos on cellphones, stalked, and followed us. Cleaning staff followed us to restrooms, and came over to microwave and cleanings shop upon arrival. Patrons and customers - followed me through the store w/ my daughter, and monitored and took photos. Harassing -

Amazon Prime Staff at South Street Philly, and Pennsylvania Avenue were especially the most harassing.

Stone v. Amazon Whole Foods.

IV. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

Extreme harassment, isolation, and discrimination based on disability and perceived disability.

A staffer at a new store began making harsh gestures to sign at me, and asking me if I was deaf. @ Hawaii, newest location 2018 -

These actions are devastating + intrusive and they do hurt, and anger me.

Staff think its funny. I do have hearing loss.

V. Relief:

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking, and the basis for such compensation.

1. FBI Investigation of Whole Foods locations. Due to the expansive, and multi state patterned behavior, the harassment and discrimination is epidemic and concerning. Resulting in corrective action across all departments.
2. Sensitivity training. Zero tolerance with direct, immediate termination in the case of harassment, abuse + discrimination of staff or customers. Customers should not be allowed to abuse and harass other customers. They should be forced to leave with police escort if needed.
3. Demand \$25 million dollars, for damages
4. Review of programs for the poor. I suspect in store abuses.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

12/19/2018

Signature of Plaintiff

Printed Name of Plaintiff

Nanette Stone**B. For Attorneys**

Date of signing:

12/19/2018

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

No Atty yet